IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**WRIT PETITION NO : 10378 of 2001**

Between:

1 P. Hari Hara Prasad, S/o. P. Venkateshwara Rao,
R/o. IS-43, Irramanzil, Colony, Hyderabad.
2 R. Dakashyani Devi, W/o. P. Gangadhara Rao,
R/o. IS-55, Irramanzil, Colony, Hyderabad.
3 Dr. M. Gayathri, D/o. M. Srinivasa Rao,
R/o. IJ-13, Irramanzil, Colony, Hyderabad.
4 V.Vijaya Lakshmi, W/o. Pradeep Kumar,
R/o. IS-51, Irramanzil, Colony, Hyderabad.
5 I. Shiva Kumar, S/o. I. Anjaneyulu,
R/o. IS-47, Irramanzil, Colony, Hyderabad.
6 S.K. Ranga Rao, S/o. S. Gopala Krishnaiah,
R/o. IS-46, Irramanzil, Colony, Hyderabad.
7 B.V. Prakash, S/o. B. Rama Chandra Rao,
R/o. IS-42, Irramanzil, Colony, Hyderabad.
8 K. Surendra Babu, S/o. Venkateshwar Rao,
R/o. IS-41, Irramanzil, Colony, Hyderabad.
9 P. Vivekananda, S/o. Venkata Subba Rao,
R/o. IS-05. Irramanzil, Colony, Hyderabad.
10 A.S. Rukmangadara Rao, S/o. A.S.Rao,
R/o. IC-23,. Irramanzil, Colony, Hyderabad.
11 K. Sambasiva Rao, S/o. Nallaiah,
R/o. IC-260, Irramanzil, Colony, Hyderabad.
12 P. Srinivasulu, S/o. P.S. Rao,
R/o. IC-04, Irramanzil, Colony, Hyderabad.
13 Smt. M.V. Bharathi, W/o. C.R.Prakash,
R/o. IC-257, Irramanzil, Colony, Hyderabad.
14 K.V. Vilasini, W/o. B. Ashirvadam,
R/o. IC-259, Irramanzil, Colony, Hyderabad.
15 S. Srimmannaraya, S/o. S.R.K. Chary,
R/o. IC-148, Irramanzil, Colony, Hyderabad.
16 G. Sridevi, W/o. Late A.S. Pathro,
R/o. IC-105, Irramanzil, Colony, Hyderabad.

17 Dr. E.A. Varalakshmi, W/o. Subramanyam,
R/o. IJ-28, Irramanzil, Colony, Hyderabad.
18 M. Waheedullah Baig, S/o. M. Jafer Baig,
IJ-28, Irramanzil, Colony, Hyderabad.
19 A. Sangameshwar Rao, S/o. Venkateshwar Rao,
R/o. IC-177, Irramanzil, Colony, Hyderabad.
20 G. Suryanarayana, S/o. Rajashekara Rao,
R/o. C-139, Patigadda Colony, Hyderabad.
21 P.K.D. Nageshwar Rao, S/o. Late P.S.L. Achary,
C-262, Patigadda Colony, Hyderabad.
22 E. Kameshwar Rao, S/o. E. Ammanna,
C-133, Patigadda Colony, Hyderabad.
23 K. Uma Devi, W/o. K.S.Reddy,
C-35, Patigadda Colony, Hyderabad.
24 V. Gowri Shankar Rao, S/o. Swamy Babu,
B-07, Patigadda Colony, Hyderabad.
25 K. Venkataramaiah, S/o. Krishna MUrthy,
C-138, Patigadda Colony, Hyderabad.
26 G. Ranga Rao, S/o. G.V. Rao,
B-90, Patigadda Colony, Hyderabad.
27 A. Satyanarayana,
C-9, Patigadda Colony, Hyderabad.
28 D. Raman, S/o. ;Late D. Ramajogi,
R/o. C-119, Patigadda Colony, Hyderabad.
29 S. Khaja Moinuddin,
C- , Patigadda Colony, Hyderabad.
30 S.G.P.V. Rama Raju, S/o. S.V.V.Raju,
R/o. C-124, Patigadda Colony, Hyderabad.
31 K. Balarama Raju, S/o. M.S.Raju,
R/o. MC-393, Malakpet Colony, Hyderabad.
32 Smt. A,.V. Lakshmi Rajayam, W/o. B. Nageshwar Rao,
R/o. C-68, Malakpet Colony, Hyderabad.
33 K.V. Satyanarayana, S/o. M.S.Raju,
R/o. MS-6, Malakpet Colony, Hyderabad.
34 J. Singaraiah, S/o. M.S.Raju,
MC-394, Malakpet Colony, Hyderabad.
35 K. Rajendra Kumar Moses, S/o. K.M. Paramjyothi,
R/o. MC-80, Malakpet Colony, Hyderabad.
36 M.V. Jyothirmayi, W/o. K.V. Subba Rao,
R/o. MC-279, Malakpet Colony, Hyderabad.
37 G. Venkateshwarlu, S/o. Late G.V. Swamy,
R/o. MC-408, Malakpet Colony, Hyderabad.
38 M.S.R. Padma Kala, S/o. M.J. Ratnam,
R/o. C-74, Malakpet Colony, Hyderabad.
39 G. Geetha Devi, W/o. G. Venugopal Rao,
R/o. MC-214, Malakpet Colony, Hyderabad.
40 D.N. Jaya Raj, S/o. D. Jacob,
R/o. B-2, Malakpet Colony, Hyderabad.
41 K. Veera Swamy, S/o. K. Venkatesh,
R/o. D-131, Malakpet Colony, Hyderabad.
42 M. Vishalakshi, W/o. M.S.R. Murthy,
R/o. C-143, Malakpet Colony, Hyderabad.
43 K. Rama Devi, W/o. M. Raji Reddy,

R/o. MC-381, Malakpet Colony, Hyderabad.

44 P. Majula Devi, W/o. E. Prabhakar Reddy,
R/o. MC-92, Malakpet Colony, Hyderabad.

45 G. Seetharam Reddy, S/o. g. Atchi Reddy,
R/o. MC-238, Malakpet Colony, Hyderabad.

46 P. Nagarjuna Rao, S/o. P. Krishna Murthy,
R/o. MC-426, Malakpet Colony, Hyderabad.

47 G. Krishna Sai, S/o. G.B.S. Sharma,
R/o. MC-414, Malakpet Colony, Hyderabad.

48 A. Maink Rao, S/o. A. Showri,
R/o. MP-39, Malakpet Colony, Hyderabad.

49 L. Rajendra Prasad, S/o. Late L.V. Subbaiah,
R/o MC-304, Malakpet Colony, Hyderabad.

50 J. Vasudeva Rao, S/o. Late J.V. Ratnam,
R/o. MC-188, Malakpet Colony, Hyderabad.

51 Y. Krishna Vardhan Reddy, S/o. Y.A. Reddy,
R/o. MC-210, Malakpet Colony, Hyderabad.

52 s.R.N. Tagore, S/o. S.B. Subbaiah,
MS-52, Malakpet Colony, Hyderabad.

53 B. Bala Venkat Reddy, S/o. B. Mysoora Reddy,
R/o. MC-69, Malakpet Colony, Hyderabad.

54 K. Nagesh Kumar,
R/o. MC-413, Malakpet Colony, Hyderabad.

55 G. Krishna Kumari,
R/o. MC-155, Malakpet Colony, Hyderabad.

56 Syed Mohd. Hussain, S/o. Shaik R. Mohd. Hussain,
R/o. C-84, Malakpet Colony, Hyderabad.

57 M. Venkateswarlu,
R/o. MC-83, Malakpet Colony, Hyderabad.

58 Mohd. Ahmed Sharif, S/o. Late Ahmed Sharif,
MC-223, Malakpet Colony, Hyderabad.

59 V.V.B.S. Prasad,
R/o. C-34, Malakpet Colony, Hyderabad.

60 M. Vijayawani,
R/o. C-33, Malakpet Colony, Hyderabad.

61 Syed Hasanuddin,
R/o. C-39, Malakpet Colony, Hyderabad.

62 M. Satyanarayana Rao,
R/o. MC-214, Malakpet Colony, Hyderabad.

**..... PETITIONERS**

AND

1 The Government of A.P., rep. by its Principal SEcretary,
Transports Road & Buildings, Secretariat, Hyderabad.
2 The District Collector, Hyderabad, Nampally Station Road, Hyderabad.
3 The Mandal REvenue Officer, Golconda, Hyderabad.
4 The Estate Officer, O/o. Supt., Engineer ( R&B), Head Quarter Circle,
Near Meer Talkies Lakidikapool, Hyderabad.
5 The Chief Engineer (R&B) Building, Erramanzil, Hyderabad-82.
6 M. Subba Raju,

R/o. Quarter No.K.96, Erramanzil, Hyderabad.

7 C. Rama Narayana Reddy, S/o. C.Bali Reddy,
Govt Q.No. 219, Malakpet, Hyderabad.

(RR-4 & 5 are impleaded as per C.O. Dt. 6.9.2001 in WPMP.No. 23440/01.)

(R-6 is impleaded s aper C.O. Dt. 10.3.2003 in - WPMP.Nos. 2944/03)

(R-7 is impleaded as per C.O. Dt./ 16.11.2004 in-
WPMP.No. 25882 of 2004.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue appropriate Writ, Order or direction more particularly one in the nature of Mandamus directing the respondents to consider and alienate the respective quarters in which they are residing in favour of the petitioners as is down in other cases with respect to other Government Employees and pass.

**Counsel for the Petitioners :Mr.C.KODANDA RAM**

**Counsel for the Respondent Nos.1 to 5: The G.P. for Tr. R&B**

**Counsel for the Respondent No.6: Mr. M.V.Venkataramana Reddy**

**Counsel for the Respondent No.7: MR.S.RAJESWARA REDDY**

**The Court made the following :**

***ORDER:***

Heard both sides and at their request the main Writ Petition itself is taken up for disposal.

Petitioners herein and also the contesting respondents are all employees, who are aggrieved against the action of the respondents, in not alienating the quarters in their favour, which have been initially allotted in their favour during the course of employment.

Though several contentions have been raised from both sides, the fact remains that some of the employees have already retired from service. The case of the petitioners is that in view of certain Policy decision taken by the Government, they are entitled to stay in quarters on permanent alienation basis rather than evicting them soon after their retirement.

However, It is now agreed by both sides that the cases of those persons who are in service can only be considered for alienation rather than those who have already retired from service.

In view of the same, it is not necessary to go into the merits of the claim on either side and it would suffice in the interest of justice to grant some time for eviction to those who have already retired and in regard to those who have not retired, their

cases can be considered for the purpose of alienation.

Even though it is stated that now the Government has changed the policy, however, it has been pointed out on behalf of the employees that in spite of the same, the allotment is being made to various other candidates and therefore, there should not be any impediment in considering their cases.

In the circumstances, the Writ Petition is accordingly, disposed of permitting the employees who have already retired to vacate the premises on or before 30th June 2005. In regard to those who are in service, the authorities shall consider their cases for entitlement for permanent alienation, which exercise shall be done, within a period of three months, from the date of receipt of a copy of this order. It shall be open for the parties to place all the material by way of representation or otherwise, before the concerned authorities for consideration of their cases.

_____ B. PRAKASH RAO, J

Dated: 15/12/2004

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To

1 The Government of A.P., rep. by its Principal SEcretary,
Transports Road & Buildings, Secretariat, Hyderabad.
2 The District Collector, Hyderabad, Nampally Station Road, Hyderabad.
3 The Mandal Revenue Officer, Golconda, Hyderabad.
4 The Estate Officer, O/o. Supt., Engineer ( R&B), Head Quarter Circle,
Near Meer Talkies Lakidikapool, Hyderabad.
5 The Chief Engineer (R&B) Building, Erramanzil, Hyderabad-82.
6 Two CCs to G.P. for Tr.R&B, High Court of A.P. Buildings, Hyderabad (OUT)

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